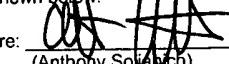
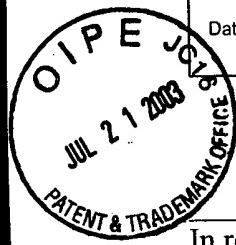


I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 333855527 US, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 7-21-03 Signature:   
(Anthony Solonich)

5M  
Hg  
Docket No.: 342312003801  
(PATENT)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Larry A. LAREW, et al

Application No.: 09/942,458

Group Art Unit: 1654

Filed: August 29, 2001

Examiner: R. Teller

For: ECHINOCANDIN/CARBOHYDRATE  
COMPLEXES

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JUL 25 2003  
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29/03

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the restriction requirement set forth in the Office Action mailed July 3, 2003 (Paper No. 8) for which a response is due on August 2, 2003. Accordingly this response is timely filed.

The Examiner has required restriction between:

I. ) Claims 1-6 and 20-23, drawn to an echinocandin/ carbohydrate complex, classified in class 514, subclass 9.

II. ) Claims 7-19, drawn to a method of making the echinocandin/ carbohydrate complex, classified in class 514, subclass 9.

III. ) Claims 24-27, drawn to a method of treating fungal infection, classified in class 435, subclass 178.

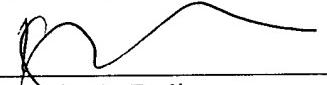
Applicant hereby elects Group I, without traverse. Applicant expressly reserves his/her right under 35 U.S.C. § 121 to file a divisional application directed to the non-elected subject matter during the pendency of this application, or an application claiming priority from this application.

Applicant requests examination of the elected subject matter on the merits.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 342312003801. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated July 21, 2003

Respectfully submitted,

By   
Kimberly A. Bolin

Registration No.: 44,546  
MORRISON & FOERSTER LLP  
755 Page Mill Road  
Palo Alto, California 94304  
(650) 813-5740



07-23-07

1654

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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/942,458
		Filing Date	August 29, 2001
		First Named Inventor	Larry A. LAREW
		Group Art Unit	1654
		Examiner Name	R. Teller
Total Number of Pages in This Submission	3	Attorney Docket Number	342312003801

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### ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply (Response to Restriction Requirement) - 2 pages	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	1. Return Receipt Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		Remarks
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	MORRISON & FOERSTER LLP Kimberly A. Bolin - 44,546	(Customer Number 25226)
Signature		
Date	July 21, 2003	

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Dated: 7-21-03

Signature: (Anthony Soljanich)